

MARICOPA COUNTY STADIUM DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
September 21, 2005**

The Board of Directors of Maricopa County Stadium District, Phoenix, Arizona convened in Formal Session at 9:00 a.m., September 21, 2005, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Paul Golab, Deputy County Attorney and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

PERSONNEL AGENDA

There were no personnel changes reported at this time.

POLICY FOR RECEIVING DONATIONS

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to adopt a new policy, A2508 Policy for Receiving Donations, for the Stadium District. The Policy for Receiving Donations will ensure consistency throughout Maricopa County regarding the acceptance and reporting cash and non-cash donations. (C1806019600) (ADM5510) (ADM2808)

LETTER AGREEMENT FOR USE OF STADIUM DISTRICT PLYWOOD

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve a letter agreement regarding the use of Stadium District plywood from William C. Scalzo, Stadium District Executive Director Representative, to Charles T. Johnston, Managing Member of Select Artists Associates L.L.C. (SAA), Stadium District's booking manager for Bank One Ballpark. The letter sets forth the terms of an agreement regarding rights and responsibilities as to the use of plywood that is used by the booking manager to stage certain district events at the ballpark. Under the letter agreement, SAA undertakes all responsibility, financial and otherwise, for storage, transportation and maintenance of the plywood in exchange for the right to conduct up to two "Day Use" events at the ballpark annually at no rental fee. All costs of conducting such "Day Use" events are the responsibility of SAA and such uses must be scheduled in accordance with the established standard procedures. The letter agreement is dated June 17, 2005. The term of the letter agreement is coterminous with the current Booking Manager Agreement and any extension options that may be exercised. The Arizona Diamondbacks also agree to the terms of the agreement as evidenced by the signature of Richard Dozer, President, Arizona Diamondbacks (C6792). (C6806002000)

LETTER AGREEMENT FOR BANK ONE BALLPARK DAY USE EVENT CATERING REVENUE SHARING

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve a letter agreement regarding "Bank One Ballpark Day Use Event Catering Revenue Sharing" from William C. Scalzo, Stadium District Executive Director Representative, to Craig Grimes, Regional Director, Levy Premium Food Service, the general concessionaire under contract at Bank One Ballpark. The letter agreement sets forth the proposed agreement for Levy to pay a stated share of concessionaire revenues earned from catering Day Uses conducted at the ballpark now that the District is conducting such events rather than the Team. This change in responsibility was made in the Seventh Amendment to the Facility Development Agreement and the Related Use Agreements approved by the Board on July 12,

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2004. The date of this letter agreement is July 21, 2005. The agreement provides that the financial model set forth in the agreement will be effective for one year (Dept. 680, Fund 253). (C6806003100)

LETTER AGREEMENT WITH ARIZONA DIAMONBACKS TO USE FUNDS FOR LED TECHNOLOGY

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to authorize William C. Scalzo, Stadium District Executive Director Representative, to enter into a letter agreement with the Arizona Diamondbacks to use up to \$3,500,000 of the Non-Obsolescence Fund to purchase and install LED technology in Bank One Ballpark (Dept. 680, Fund 450). The addition of these boards will allow the Bank One Ballpark to remain competitive with other state-of-the-art facilities in the valley, such as the Cardinals Stadium, Glendale Arena, and America West Arena. LED technology provides versatility for advertising. The existing advertising boards are static and require manually changing the advertisement, whereas the LED boards will allow advertising to be changed multiple times during a game. The new LED boards will enhance the customer experience and generate additional advertising revenue for the Diamondbacks and District Events. These LED boards will be used by the Arizona Diamondback's during baseball games, as well as by the Stadium District Booking Manager for District Events. The Stadium District will also receive advertising time on the LED boards during and before baseball games and Home-Plate rotator signage of ½ inning per game for 5 years. In addition, the District will receive, for the 2006 and 2007 seasons, two in-game, ten-second radio tags and one pre-game, ten-second radio tag.

Also authorize the Stadium District to proceed with the necessary procurement process for the LED boards pursuant to the Stadium District procurement code. Authorize an increase to the Stadium District expenditure budget (450-684-6840-950-00) of an amount not to exceed \$3,500,000 for the purchase and installation of LED technology in Bank One Ballpark. The Non-Obsolescence Fund will have approximately \$1,100,000 remaining. (C6806004100) (ADM5500-002)

TEMPORARY HOUSING FOR HURRICANE KATRINA EVACUEES AT BANK ONE BALLPARK - WITHDRAWN

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to authorize the Stadium District Executive Director to coordinate with the appropriate county, state, and federal authorities to provide temporary housing for the Hurricane Katrina evacuees relocated to Maricopa County, as needed. The Arizona State Office of the Governor and the Red Cross have requested that the Stadium District make Bank One Ballpark available to house evacuees of Hurricane Katrina on a short-term basis if additional evacuees are transported to Arizona. Coordination will also be necessary with the Arizona Diamondbacks. Under the statutes governing the Stadium District, Stadium District funds cannot be used for this purpose; therefore an alternate funding source will be necessary. (C6806005M00) (ADM5500)

The Clerk announced that this item has been withdrawn as housing was no longer needed.

WAIVE REVENUE FROM TICKET SALES FOR RED CROSS HURRICANE KATRINA RELIEF FUND

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to waive the Stadium District's share of revenue from the sale of tickets from Friday, September 2, 2005 through Thursday, September 15, 2005, for the home games against the Milwaukee Brewers. The

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Milwaukee Brewers games were played on September 13, 14, and 15, 2005. The Arizona Diamondbacks will donate proceeds from these sales to the Red Cross Relief Fund. By waiving its share of these ticket revenues, the District will enable the full ticket cost to be donated. This donation will be made to help the victims and relief efforts from the recent Hurricane Katrina. The District's share of revenue is 71 cents per ticket. The total amount of revenue waived is estimated to be less than \$50,000. (C6806006M00) (ADM5500)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Official Record Keeper